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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/640,341	08/12/2003	Mi-Chien Chen		7716
25859	7590	02/14/2005		
			EXAMINER	
			CRANSON JR, JAMES W	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 02/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/640,341	CHEN, MI-CHIEN
	<b>Examiner</b>	<b>Art Unit</b>
	James W. Cranson	2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 12 August 2003.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) 19 and 20 is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-12 and 16-18 is/are rejected.

7) Claim(s) 13-15 is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 8/12/2003.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date 2/02/2005.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Election/Restrictions***

- 1 Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-18; drawn to edge lighted panel, classified in class 362, subclass 31.
  - II. Claims 19-20, drawn to method of using injection molding to make a liquid crystal display, classified in class 264, subclass 1.1

The inventions are distinct, each from the other because of the following reasons:

2 Inventions I and II are related as process of making and product made. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product (MPEP § 806.05(h)). In the instant case , invention II , method of using injection molding has a separate utility and can be used to shape any plastic and/or nonmetallic substance in virtually any shape or form including toys, sports goods, medical equipment, chairs etc.

3 Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

During a telephone conversation with WEI CHUNG on 2/3/2005 a provisional election was made without traverse to prosecute the invention of GROUP I, claims 1-18.

**Affirmation of this election must be made by applicant in replying to this Office action.**

Claims 19 and 20 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

An action on the merits of the elected claims follows:

***Drawings***

The drawings are objected to under 37 CFR 1.83(a) because they fail to show details of a conventional surface light source in figure 1 as described in the specification. In particular, claim 1 “wherein, the at least a light source holder and the light guide plate combine into one assembly” is not shown in the drawings. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the

drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1,4,6,7,9,10 rejected under 35 U.S.C. 102(a) as being anticipated by USPN 6,545,732 to Nakano. Nakano discloses in an illumination device, a light guide, a light source, and light source holder and light guide plate combined and/or integrated into one assembly.

Regarding claim 1, A surface light source device (figures 2 -5, 1 is surface light source device) comprising:

a transparent light guide plate (3);

at least a light source for emitting light (figures 2- 5, 5 is a light source), positioned adjacent to a corresponding edge surface of the light guide plate ( shown in figures 2a- 5a)

and

at least a light source holder (figures 2a 5a, 2 is light source holder);

wherein, the at least a light source holder and the light guide plate combine into one assembly ( figures 2a-5a).

Regarding claim 4, according to claim 1, wherein light source holder is attached to the light guide plate ( figures 2a-5a).

Regarding claim 6 , according to claim 1, comprising a reflector (7) coupling with holder enclosing light source on three sides ( figures 2-5)

Regarding claim 7, according to claim 1, wherein reflector has a protrusion (10).

Regarding claim 9, according to claim 1, wherein light source holder has a hole for receiving an end of the at least a light (figures 2-5).

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1,3, 9, and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by US 2002/0131261 A1 to Inui et al. Inui et al. discloses in an illumination device, a light guide, a light source, and light source holder and light guide plate combined and/or integrated into one assembly that is produced by injection molding.

Regarding claim 1, A surface light source device (figures 3 -5, 1 is surface light source device) comprising:

a transparent light guide plate (10);

at least a light source for emitting light (figures 3- 5, 20 is a light source), positioned adjacent to a corresponding edge surface of the light guide plate ( shown in figure 5)

and

at least a light source holder (figure 5, plate 10 is light source holder);

wherein, the at least a light source holder and the light guide plate combine into one assembly ( figures 5,6, page 5,[0062]” light guide member 10 or the shape described above is produced by injection molding”)

Regarding claim 3, according to claim 1, integrated by injection molding (figures 5,6, page 5,[0062]” light guide member 10 or the shape described above is produced by injection molding”).

Regarding claim 9, according to claim 1, wherein light source holder has a hole for receiving an end of the at least a light (figures 5 and 6).

Regarding claim 11, wherein conventional surface light device has a light holder integrally formed with light guide by injection molding (figures 5,6, page 5,[0062]” light guide member 10 or the shape described above is produced by injection molding”).

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

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Claims 11, 16, and 17 are rejected under 35 U.S.C. 102(a) as being anticipated by USPN 6,435,685 to Matsushita. Matsushita discloses a surface light source device with light guide plate, light source, light source holder made by an injection molding process integral with plate.

Regarding claim 11 A surface light source device (30), comprising:

a transparent light guide plate( 2);

at least a light source(7) for emitting light, positioned adjacent to edge surface of light guide plate ( figure 4); and

at least a light source holder for fixing light source (29);

wherein, the at least a light source holder is integrally formed with the light guide plate by an injection molding process ( column 9, lines 45-54, figure 5).

Regarding claim 16, according to claim 11, comprising a reflector coupling with holder and enclosing light source on three sides (figure 5).

Regarding claim 17, according to claim 16, wherein reflector has protrusion for engaging edge of light source holder ( figures 5-7).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Regarding claim 2, according to claim 1, wherein light source holder is made of silicon

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rubber.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,545,732 to Nakano or US 2002/0131261 to Inui in view of USPN 6,286,971 to Hori. Both Nakano and Inui lack light source holders made of silicon rubber. Hori teaches in a back-light unit for LC display using silicon rubber for light source holders. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide Nakano and Inui with silicon rubber light source holder as taught by Hori. The reasons to use silicon rubber is that the light source holders become non-luminous parts and to prevent foreign materials or scratches from occurring on a contact area.

Regarding claim 12, according to claim 11, wherein holders are silicon rubber.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 2002/0131261 to Inui in view of USPN 6,286,971 to Hori. Inui lacks light source holders made of silicon rubber. Hori teaches in a back-light unit for LC display using silicon rubber for light source holders. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide Inui with silicon rubber light source holder as taught by Hori. The reason to use silicon rubber is that the light source holders become non-luminous parts and to prevent foreign materials or scratches from occurring on a contact area.

Regarding claim 5, according to claim 1 and claim 13, according to claim 11, wherein light source holder is provided at each corner of light guide plate.

Claims 5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2002/0131261 to Inui. Inui discloses the claimed invention except for having two light source

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holders and the invention claims four light source holders. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide Inui with four light source holders since it has been held that lacking any criticality, to duplicate parts for multiple effect does not make the claimed invention patentable over that prior art *St. Regis Paper Co. v. Bemis Co., Inc., 193 USPO 8, 11 (7<sup>TH</sup> Cir. 1977)*.

Regarding claim 8, according to claim 6, wherein screws are used for attachment

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,545,732 to Nakano or US 2002/0131261 to Inui in view of US 2002/0044437 to Lee. Both Nakano and Inui lack using screws for attachment. Lee teaches using screws for attachment in a back light device. The purposes for using screws are ease of manufacture and ease of maintaining.

Regarding claim 18, according to claim 16, wherein reflector is attached to light source holder by screws.

*SFK* ~~Regarding claim 8, according to claim 6, wherein screws are used for attachment~~

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,435,685 Matsushita in view of US 2002/0044437 to Lee. Matsushita lacks using screws for attachment. Lee teaches using screws for attachment in a back light device. The purposes for using screws are ease of manufacture and ease of maintaining.

#### *Allowable Subject Matter*

Claims 13,14, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Claim 13, according to claim 11, adds the limitation that a light source holder is provided at each corner of the light guide. This combined with the limitations of claim 11 is not found or taught in the art of record.

Claims 14 and 15 depend from claim 13 and are allowable for the same reasons.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James W. Cranson whose telephone number is 571-272-2368. The examiner can normally be reached on Mon-Fri 8:30A.M.- 5:00P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandy O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
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Stephen Husar  
Primary Examiner